

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: ~~4-3-72~~ by plaintiffs overruled 7-14-72

D. C. Form No. 106A Rev.

8

TITLE OF CASE

ATTORNEYS

Gladys B. Watts,
Plaintiff,

For plaintiff:

Jack B. Sellers
Allen B. Mitchell
300 East Lee
Sapulpa, Oklahoma 74066

vs.

Safeway Stores, Incorporated,
a foreign corporation, and
D. L. Busey,
Defendant.

For defendant:

583-1115
Jones, Givens, Brett, Gotcher &
Doyle
Thomas R. Brett
1700 Fourth National Bank Bldg.
Tulsa, Oklahoma 74119

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed 10-1-71

Clerk

9-10-71 Givens
9-16-71 CD 13

15.00

15.00

J.S. 6 mailed 2-1-73

Marshal

Basis of Action: Personal
Injury

Docket fee

Witness fees

Action arose at:

Depositions

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-10-71	Petition for removal by Deft.s, filed. v	
9-10-71	Bond on removal, filed. v	
9-10-71	Notice, filed. v	
9-10-71	Proof of filing, filed. v	
9-10-71	Answer of Safeway Stores, Inc., filed. v	
9-10-71	Deft, D. L. Busey's Motion to dismiss, filed. v	
9-10-71	Brief in support of petition for removal and Motion to dismiss, filed.v	
9-10-71	Deft, Safeway Stores's Motion to consolidate case #s 71-C-330 and 71-C-331, filed. v	
11-17-71	Order for service by publication, pursuant to 28 USC 1655, filed. (AEB-J) ds	
11-29-71	Pltfs' Motion to Remand, with Brief in support of Motion, filed. r	
11-29-71	Return of Civil Subpoena. Served D. L. Busey and Ted Jacobs on November 29, 1971. (Fee \$46.00) Filed. r	
1-25-72	Ordered that Magistrate conduct hearing on pltf's motion to remand and deft. Busey's motion to dismiss and deft. Safeway's motion to consolidate 71-C-330 & 71-C-331. (AEB-J)hm	
1-25-72	Hearing held on above motions. Pltf's motion to remand stricken and passed to next motion docket; deft. Busey's motion taken under advisement & deft. Safeway ^{plaintiff} given 10 days to file response to said motion; deft. Safeway's motion consolidate 71-C-330 and 71-C-331 granted and Tom Brett given 5 days to prepare recommendation and order. (MLB-Mag)hm	
3-29-72	Findings and Recommendations of Magistrate, filed. (MLB-Mag)hm (copies mailed)	
3-29-72	Order, filed, ^{entered} that motion to dismiss of deft. D. L. Busey is sustained; motion to remand of pltf. is overruled & motion to consolidate is sustained, with case #71-C-331 being consolidated into this case. (AEB-J)hm (copies mailed)	
3-30-72	Parties directed to hold pre-trial prior to 5/1/72 and file PT order not later than 5/10/72. (AEB-J) rm	
4-3-72	Plaintiff's demand for jury trial filed. ds	
4-7-72	Objection to Demand for Jury Trial by the Deft., filed. v	
4-7-72	Brief in Support of Objection to Demand for Jury Trial, filed. v	
5-31-72	Minute Order: Parties are granted until August 1, 1972 to complete all discovery at the request of pltf. and are to be prepared for trial by Sept. or Oct. jury term. (AEB-J)rm - parties notified by ltr.	
6-14-72	Ordered that Magistrate conduct hearing on deft's objection to demand for jury trial. (AEB-J)hm	
6-14-72	Hearing held on deft's objection to demand for jury trial. It is recommended that objections be sustained. Deft. counsel to prepare findings & recommendations within 5 days. (MLB-Mag)hm	
6-19-72	Findings and recommendations of Magistrate, filed. (MLB-Mag)hm (copies mailed)	
6-22-72	Objection to Findings and Recommendations of Magistrate filed by plaintiff.h	
6-22-72	Brief in support of above filed. h	
7-14-72	Order overruling pltfs. obj. to F&R of Magistrate and denying pltfs. demand for jury; case to be set on next non-jury docket. (AEB-J)rm-copies mailed	
7-25-72	Parties directed to hold pre-trial conference prior to 9-6-72 and file pre-trial order not later than 9-13-72. (AEB-J)h	
7-25-72	Suggestion of error and request for reconsideration of order overruling plaintiffs objections to findings and recommendations of magistrate and denying plaintiffs demand for jury trial, filed. ds (continued)	

D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
11-6-72	Order overruling pltfs' suggestion of error and request for reconsideration of order overruling objections to F&R of Magistrate and denying pltfs' demand for jury trial, filed. (AEB-J)hm (copies mailed)	
1-10-73	Case set for disposition 1-16-73 at 10:00 a.m. (AEB-J)hm	
1-15-73	Application of atty for pltf. for order allowing attys. to withdraw, filed.rm	filed.rm
1-16-73	Case called for disposition. Parties present. Statements made. It is ordered that for failure to file pre-trial order, this case is hereby dismissed without prejudice to file again. Allen B. Mitchell's oral application to withdraw as counsel is moot. (AEB-J)h Atty Gotcher to prepare proper order.	
1-17-73	Order of dismissal without prejudice, filed and entered. (AEB-J)rm	Copied to Mr. Gotcher

not subject to withdrawal from case

DATE	PROCEEDINGS	Date Order or Judgment Noted